

that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On or about March 13, 1922, the court having found the product to be misbranded as alleged in the libel, and the Blackman-Morris Co., New Orleans, La., having paid the costs of the proceedings and executed a bond in the sum of \$100, in conformity with section 10 of the act, judgment by consent was entered, and it was ordered by the court that the product be released to the said claimant.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10359. Adulteration of melon and lemon jam. U. S. * * * v. 1,822 Cases * * * of Melon and Lemon Jam * * *. Judgment of condemnation and forfeiture. Product released under bond. (F. & D. No. 16186. Inv. No. 35451. S. No. E-3786.)

On February 24, 1922, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,822 cases of melon and lemon jam, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped from Brooklyn, N. Y., between the dates February 16 and May 5, 1921, and transported from the State of New York into the Commonwealth of Massachusetts, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Melon & Lemon Jam * * * The Rosella Preserving and Manufacturing Co. Ltd., Melbourne, May, '19 Victoria, Australia."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On March 15, 1922, Eugene B. Harris, Boston, Mass., having entered an appearance as claimant for the property and having filed a satisfactory bond, in conformity with section 10 of the act, judgment of condemnation was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10360. Misbranding of Am-O-Lox ointment and Am-O-Lox prescription. U. S. * * * v. Am-O-Lox Co., a Corporation. Plea of nolo contendere. Fine, \$25 and costs. (F. & D. No. 13081. I. S. Nos. 9096-r, 9097-r.)

On November 26, 1920, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Am-O-Lox Co., a corporation, Youngstown, Ohio, alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about September 7, 1918, and June 16, 1919, respectively, from the State of Ohio into the State of Missouri, of quantities of Am-O-Lox ointment and Am-O-Lox prescription, respectively, which were misbranded. The articles were labeled in part, respectively: "Am-o-lox Ointment for Eczema And All Skin Diseases * * * Prepared At The Am-O-Lox Laboratories, Youngstown, Ohio, * * *"; and "Am-o-lox Prescription for Eczema And All Diseases Of The Skin And Scalp * * *."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Am-O-Lox ointment was an ointment consisting essentially of zinc oxid, sulphur, phenol, methyl salicylate, and a small amount of an anilin dye in a base composed of a petroleum product (petrolatum and paraffin) and a waxy material; and that the Am-O-Lox prescription consisted essentially of glycerin, phenol, salicylic acid, methyl salicylate, anilin dye, alcohol, and water.

Misbranding of the articles was alleged in substance in the information for the reason that certain statements appearing on the cans and envelopes containing the Am-O-Lox ointment and on the cartons and bottles containing the Am-O-Lox prescription and in certain circulars accompanying both, falsely and fraudulently represented the former to be effective, when used in connection with Am-O-Lox soap and Am-O-Lox solution, as a treatment, remedy, and cure for eczema and all skin diseases, salt rheum, tetter, eczema of the hands, infantile eczema, psoriasis, eczema of the scalp, dandruff, falling out of hair and all diseases of the scalp, barber's itch, ring worm, pim-

ples, blackheads, pruritus or itching piles, varicose ulcers, acne, piles, boils, ulcers, carbuncles, burns, running sores, red nose, itch of all kinds, and hives; and the latter to be effective, when used in connection with Am-O-Lox soap and Am-O-Lox ointment, as a treatment, remedy, and cure for eczema and all skin diseases, salt rheum, tetter, eczema of the hands, infantile eczema, psoriasis, eczema of the scalp, dandruff, falling out of hair, and all diseases of the scalp, barber's itch, ring worm, pimples, blackheads, pruritus or itching piles, varicose ulcers, acne, piles, boils, ulcers, carbuncles, burns, running sores, red nose, itch of all kinds, hives, herpes, lichen, sycosis, dermatitis, and ivy poisoning, when, in truth and in fact, the said articles would not be effective for the purposes claimed in the said statements.

On September 12, 1921, a plea of nolo contendere was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10361. Adulteration and misbranding of Mol-Ha mixing feed. U. S. * * * v. Guy E. Patteson (G. E. Patteson & Co.). Plea of guilty. Fine, \$10 and costs. (F. & D. No. 13240. I. S. Nos. 6085-r, 6086-r.)

On January 31, 1921, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Guy E. Patteson, trading as G. E. Patteson & Co., Memphis, Tenn., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about January 16 and 25, 1919, respectively, from the State of Tennessee into the State of Missouri, of quantities of Mol-Ha mixing feed which was adulterated and misbranded. The article was labeled in part: "100 Lbs. Mol-Ha Mixing Feed Manufactured by G. E. Patteson & Co., Memphis Tenn. * * * Made Of Ground Rice Straw & Molasses. Nothing Else." It was represented by a salesman of the consignor, prior to the said shipments, that the article contained 30 per cent of pure cane sugar, that it had been manufactured for the United States Government, on contract, and in accordance with Government specifications, and that the said feed was sold for the United States Government.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it was a mixture of molasses and rice straw, containing less molasses and sugar than represented by the salesman and having a musty odor. It also contained less fat and less carbohydrates than stated on the labeling.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy and decomposed vegetable substance.

Misbranding was alleged for the reason that a horse and mule feed containing less than 30 per cent of pure cane sugar, not manufactured on contract with and in accordance with United States specification and not sold for the United States Government, had been offered for sale and sold under the distinctive name of another article, to wit, that it was a Government horse and mule feed; that is to say, a feed containing 30 per cent of pure cane sugar, manufactured on contract for and in accordance with United States Government specification and sold for the United States Government.

On January 19, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10362. Adulteration and misbranding of concentrated sweetener. U. S. * * * v. 5 Cans of Sweetener. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14963. I. S. No. 2077-t. S. No. C-3068.)

On or about August 3, 1921, the United States attorney for the Northern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 cans of concentrated sweetener, at Water Valley, Miss., consigned by the W. B. Wood Mfg. Co., St. Louis, Mo., alleging that the article had been shipped from St. Louis, Mo., about July 1, 1920, and transported from the State of Missouri into the State of Mississippi, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Wood's Special Concentrated Sweetener. * * * W. B. Wood Mfg. Co., St. Louis, Mo."